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C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 003123

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [BK](#) [RS](#)

SUBJECT: BOSNIA: FOR RUSSIA, SOLUTION LIES WITH THE EU

REF: A. SARAJEVO 1619

[1](#)B. SARAJEVO 1629

[1](#)C. MOSCOW 2580

Classified By: Acting POL M/C David Kostelancik for reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Dismissing Bosnian PM Dodik's nationalist rhetoric as election-related, the MFA continues to underline to Republic of Srbska (RS) authorities that it will suffer if it violates either the Dayton Accords or the constitution, and that Kosovo was not a precedent for the RS to follow. The MFA foresees a "transformation" of the Office of High Representative (OHR) responsibilities to the EU Special Representative (EUSR) by summer 2009 and intends to seek agreement to this and additional points at the November 20 PIC Steering Board meeting in Brussels. On a settlement of the Brcko District, the GOR rejects any constitutional amendment that would permit Brcko equal access to the Constitutional Court, considering this equivalent to the formation of a third entity. End summary.

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Dodik Will Return to Tasks at Hand  
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[1](#)2. (C) The MFA's Ivan Gorbunov, Counselor and Bosnia-Herzegovina and Croatia desk officer (Fourth European Department), told us October 21 that Russia was not "keen" to dramatize the current political situation in Bosnia, as the MFA assessed that RS PM Dodik would return to the tasks at hand -- obligations under the Stabilization and Accession Agreement (SAA) and the Instrument for Pre-Accession Assistance (IPA). The GOR saw the up-tick in rhetoric from Dodik as tracking with the two-year cycle of elections in BiH and in direct response to Croatian President Haris Siljadzic's remarks on the "elimination of the RS." Gorbunov underlined that the Russian government had sought to temper Dodik's actions, telling Dodik that "if the RS breaks deals, they will be the principal victims," and that Kosovo is not a precedent for the RS to follow -- "it is the wrong interpretation."

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Dodik's Challenges Have "Some Merit"  
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[1](#)3. (C) Gorbunov was equally accusatory and supportive of Dodik in reviewing RS challenges to state authority. But he pushed us to consider that there was some "logic" in Dodik's unwillingness to cede more power to the state. "Those authorities already handed over had not been thoroughly carried out" or were "not working properly," and give credence and support to Dodik's demands. He labeled Dodik's main motivation in undermining the electricity distribution company, Electroprijenos (TRANSCO), as financial; by arguing against ceding electrical power distribution, "he is protecting his allies." The MFA deemed the dispute between Dodik, on the one side, and the State Investigation and

Protection Agency and State Prosecutor, on the other, regarding the handing over of documents related to an investigation of corruption in the construction of RS government offices, as an issue of "legal interpretation." (Refs A and B.)

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Not Closure of OHR but "Transformation"  
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¶4. (C) "EU integration is the backbone to BiH territorial integrity and development," Gorbunov said, and as such "the EU should play a larger role." The MFA sees the functions of OHR transitioning to the EUSR by summer 2009, with Gorbunov remarking that "eighty to ninety percent of OHR staff are already dual-hatted EU staffers anyway." The MFA judged that BiH could "easily" meet the conditions for OHR transition in the next few months. Outlining Russia's view of the November 20 meeting of the PIC Steering Board in Brussels, Gorbunov said a good result would be:

- a new format for international coordination, hosted by EUSR;
- a statement from the meeting that the October 5 elections were held properly, there were no major problems, and that the law was respected;
- an evaluation of progress on the IPA; and
- an indication that the PIC Steering Board would consider a decision on the "transformation of OHR to EUSR" at its March 2009 session.

¶5. (C) However, Gorbunov noted that the EU, in contrast to its hurried entry into Kosovo, had not yet decided to take on the mission in BiH. He questioned this paradox in European

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actions, and pointed out that in Bosnia, "everyone is begging for Europe" and they can "easily succeed," where as in Kosovo, they face "a lot of problems."

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No Constitutional Amendments on Brcko  
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¶6. (C) Taking aim at Principal Deputy High Representative Raffi Gregorian, Gorbunov argued that the MFA is opposed to a constitutional amendment that would permit the Brcko District to apply directly to the BiH Constitutional Court. "Brcko cannot be supreme to Dayton or the constitution," he asserted, noting that under present conditions, the two-thirds majority required to support an amendment is not possible. He concluded that such a move would, in effect, create a third entity and provide support to those in BiH who want a new constitution.

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Cede Authorities to Brussels not Sarajevo  
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¶7. (C) In a separate meeting with Poloff, Russian Academy of Sciences Slavistic Studies researcher, Georgi Engelhardt, built on the MFA's case, concluding that "only the EU" could move the process forward in BiH, but that to do so, Europe would have to take on more leadership. In a twist that would eliminate the "zero sum game mentality," Engelhardt argued in favor of building support for the position that authorities ceded from the entities should not go to Sarajevo but to Brussels. In his view, this approach would allow the elected authorities in BiH to "rail" against an external power that would, over time, lower the rhetoric level between entities and groups. "Let's face it, Bosnia is and will be a European protectorate. Maybe in time, Bosnia can take back some of its authorities from Brussels."

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Comment  
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18. (C) Gorbunov's comments reflected Russia's more indulgent view of RS authorities and its continued dismissal of Dodik's comments and actions as part of a normal election cycle (Ref C). The MFA also assessed that Dodik will not turn away from Europe, but will seek what accommodation he can in ceding power to the center, in order to maintain the ability of the RS leadership to disburse favors and wealth in exchange for support. The MFA is awaiting an EU decision on taking over from OHR and may push this issue at the November PIC Steering Board.  
BEYRLE